

Barlow, Adrienne

From: Schembri.David <David.Schembri@cic.gc.ca>
Sent: June 13, 2019 01:56 PM
To: Barlow, Adrienne
Subject: RE: Updating the Notification of redetermination - BSF529

No problem. We've also heard that it could get bumped to the 28th. But that would be the latest. Either way, I doubt we would re-determine anyone on the first day of coming into force, though I know it won't be too soon afterwards, as the ineligibility is retroactive to April 8th.

David Schembri

Senior Program Advisor, Asylum Program Division, Immigration Program Guidance
Immigration, Refugees and Citizenship Canada / Government of Canada
David.Schembri@cic.gc.ca / Tel: 613-000-0000

Conseiller principal de programme, Orientation du programme d'immigration
Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada
David.Schembri@cic.gc.ca / Tél.: 613-000-0000

From: Barlow, Adrienne [mailto:Adrienne.Barlow@cbsa-asfc.gc.ca]
Sent: June 13, 2019 1:41 PM
To: Schembri.David <David.Schembri@cic.gc.ca>
Subject: RE: Updating the Notification of redetermination - BSF529

Thx David – that's helpful.

adrienne
613-952-7390

From: Schembri.David <David.Schembri@cic.gc.ca>
Sent: June 13, 2019 1:39 PM
To: Barlow, Adrienne <Adrienne.Barlow@cbsa-asfc.gc.ca>
Subject: RE: Updating the Notification of redetermination - BSF529

We have heard that royal assent will be June 21st.

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From: Barlow, Adrienne [mailto:Adrienne.Barlow@cbsa-asfc.gc.ca]
Sent: June 13, 2019 1:18 PM

To: Schembri.David <David.Schembri@cic.gc.ca>
Subject: RE: Updating the Notification of redetermination - BSF529

Hi again,

I know when we spoke you indicated that the form should ideally be revised in the next 2 weeks.

I understand that C-97 is @ Senate Committee now.

Do you have any other 'intel' (if I may) on when royal assent is expected? Must it take place while the House is sitting, i.e., by 21 June? Or is there another date?

Thx,

adrienne
 613-952-7390

From: Schembri.David <David.Schembri@cic.gc.ca>
Sent: June 12, 2019 4:19 PM
To: Barlow, Adrienne <Adrienne.Barlow@cbsa-asfc.gc.ca>
Subject: RE: Updating the Notification of redetermination - BSF529

Thanks for the update.

David Schembri

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David.Schembri@cic.gc.ca / Tel: 613-000-0000

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 Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada
David.Schembri@cic.gc.ca / Tél.: 613-000-0000

From: Barlow, Adrienne [mailto:Adrienne.Barlow@cbsa-asfc.gc.ca]
Sent: June 12, 2019 3:54 PM
To: Schembri.David <David.Schembri@cic.gc.ca>
Subject: RE: Updating the Notification of redetermination - BSF529

Hi David,

Thanks for speaking with me yesterday and providing some detail.

I will be working on the modifications to the BSF529 and will be in touch with you – likely sometime next week.

Thanks again,

adrienne
 613-952-7390

From: Schembri.David <David.Schembri@cic.gc.ca>
Sent: June 11, 2019 12:36 PM

To: Barlow, Adrienne <Adrienne.Barlow@cbsa-asfc.gc.ca>
Subject: RE: Updating the Notification of redetermination - BSF529

I left you a message earlier today. You can reach me

David Schembri

Senior Program Advisor, Immigration Program Guidance
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Conseiller principal de programme, Orientation du programme d'immigration
Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada
David.Schembri@cic.gc.ca / Tél.: 613-000-0000

From: Barlow, Adrienne [<mailto:Adrienne.Barlow@cbsa-asfc.gc.ca>]
Sent: June 11, 2019 9:29 AM
To: Schembri.David <David.Schembri@cic.gc.ca>
Subject: RE: Updating the Notification of redetermination - BSF529

Yes – of course. Zrinka asked me to follow up.

Please give me a shout as your telephone number is not indicated.

Thx.

*adrienne
613-952-7390*

From: Schembri.David <David.Schembri@cic.gc.ca>
Sent: June 11, 2019 12:20 AM
To: Barlow, Adrienne <Adrienne.Barlow@cbsa-asfc.gc.ca>
Subject: RE: Updating the Notification of redetermination - BSF529

We could, but are you aware that Zrinka is working on this?

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David.Schembri@cic.gc.ca / Tél.: 613-000-0000

From: Barlow, Adrienne [<mailto:Adrienne.Barlow@cbsa-asfc.gc.ca>]
Sent: June 10, 2019 4:41 PM
To: Schembri.David <David.Schembri@cic.gc.ca>
Subject: [Macro] FW: Updating the Notification of redetermination - BSF529

Good afternoon David,

Could we discuss? Wish to clarify a few things.

Thx,

Adrienne Barlow
Senior Program Advisor / Conseillère principale de programme
Intelligence and Enforcement Programs / Programmes du renseignement et d'exécution de la loi
Canada Border Services Agency / Agence des services frontaliers du Canada
Government of Canada / Gouvernement du Canada
adrienne.barlow@cbsa-asfc.gc.ca / 613-952-7390

From: Schembri.David <David.Schembri@cic.gc.ca>
Sent: June 6, 2019 10:25 AM
To: Ethier, Andrea <Andrea.Ethier@cbsa-asfc.gc.ca>
Cc: Traves, Tara <Tara.Traves@cbsa-asfc.gc.ca>; Gunshoner.Kim <Kim.Gunshoner@cic.gc.ca>
Subject: FW: Updating the Notification of redetermination - BSF529
Importance: High

Hi Andrea,
Hoping you can point me in the right direction. Please see question below, in Tara's absence.

David Schembri

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David.Schembri@cic.gc.ca / Tél.: 613-000-0000

From: Schembri.David
Sent: June 6, 2019 10:23 AM
To: 'Tara.Traves@cbsa-asfc.gc.ca' <Tara.Traves@cbsa-asfc.gc.ca>
Cc: Bush, Brett <Brett.Bush@cbsa-asfc.gc.ca>; Gunshoner.Kim <Kim.Gunshoner@cic.gc.ca>
Subject: Updating the Notification of redetermination - BSF529
Importance: High

Hi Tara,

Hoping you can help or point me in the right direction. When re-determinations are done, staff use form BSF529 (attached), which is generated out of GCMS. We need this form updated to reflect the new ineligibility. It appears that all that needs to be done is add another box and the 104(1)(c.1). Alternatively or in addition, IRCC could create a new document that is "smarter" and incorporates GCMS data tags to reduce the amount of data entry required on the form. See the attached ineligibility letter as an example of what we can do. Please advise if you can help update BSF529 or advise who I should contact.

Much appreciated.

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Barlow, Adrienne

From: Barlow, Adrienne
Sent: June 10, 2019 04:41 PM
To: 'David.Schembri@cic.gc.ca'
Subject: FW: Updating the Notification of redetermination - BSF529
Attachments: Refusal-Claim Not Eligible for Referral to the IRB-10-2014 IRCC header.dot; BSF529
Notification of Ineligibility A104.dot

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon David,

Could we discuss? Wish to clarify a few things.

Thx,

Adrienne Barlow
Senior Program Advisor / Conseillère principale de programme
Intelligence and Enforcement Programs / Programmes du renseignement et d'exécution de la loi
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Cc: Traves, Tara <Tara.Traves@cbsa-asfc.gc.ca>; Gunshoner.Kim <Kim.Gunshoner@cic.gc.ca>
Subject: FW: Updating the Notification of redetermination - BSF529
Importance: High

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Subject: Updating the Notification of redetermination - BSF529
Importance: High

Hi Tara,

Hoping you can help or point me in the right direction. When re-determinations are done, staff use form BSF529 (attached), which is generated out of GCMS. We need this form updated to reflect the new ineligibility. It appears that all that needs to be done is add another box and the 104(1)(c.1). Alternatively or in addition, IRCC could create a new document that is "smarter" and incorporates GCMS data tags to reduce the amount of data entry required on the form. See the attached ineligibility letter as an example of what we can do. Please advise if you can help update BSF529 or advise who I should contact.

Much appreciated.

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David.Schembri@cic.gc.ca / Tél.: 613-000-0000



Date: September 6, 2019

UCI: «Formatted_UCI»

* «UCI» *

* «Application_Num» *

«Given_Name» «Family_Name»

«PA_Unit» - «PA_StreetNum» «PA_StreetAddr»

«PA_StreetAddr2»

P.O.Box: «PA_POBox»

«PA_CityTown», «PA_ProvinceState» «PA_District»

«PA_Country»

«PA_PostalCode»

«Mailing_Address»

Telephone: «Telephone_Num»

Fax: «Fax_Num»

Email: «PA_Email»

Dear «Given_Name» «Family_Name»:

I have determined that your claim for refugee protection is not eligible to be referred to the Refugee Protection Division of the Immigration and Refugee Board of Canada.

Specifically, I have determined that your refugee claim is not eligible for referral as per subsection 101(1)¹ of the *Immigration and Refugee Protection Act*, for the following reason(s):

«REF_CLM_refusal_grounds»

Next Steps

You must leave Canada as soon as possible and confirm your departure with the Canada Border Services Agency. If you do not leave Canada, a deportation order may be issued against you. If a deportation order is issued and you are removed, you must get written authorization if you want to return to Canada in the future. You may be able to apply for a Pre-removal Risk Assessment. For information about that go to: <http://www.cic.gc.ca/english/refugees/inside/prra.asp>

Sincerely,

«Primary_Office_Address»

Fax: «Primary_Office_FaxNum»

«Primary_Office_Email»

«Primary_Office_URL»

Canada

Application: «Application_Num»

www.cic.gc.ca

The relevant section of the *Immigration and Refugee Protection Act*

ⁱ **101.** (1) A claim is ineligible to be referred to the Refugee Protection Division if

- (a) refugee protection has been conferred on the claimant under this Act;
- (b) a claim for refugee protection by the claimant has been rejected by the Board;
- (c) a prior claim by the claimant was determined to be ineligible to be referred to the Refugee Protection Division, or to have been withdrawn or abandoned;
- (d) the claimant has been recognized as a Convention refugee by a country other than Canada and can be sent or returned to that country;
- (e) the claimant came directly or indirectly to Canada from a country designated by the regulations, other than a country of their nationality or their former habitual residence; or
- (f) the claimant has been determined to be inadmissible on grounds of security, violating human or international rights, serious criminality or organized criminality, except for persons who are inadmissible solely on the grounds of paragraph 35(1)(c).

**NOTIFICATION TO THE PERSON CONCERNED BY AN IMMIGRATION OFFICER PURSUANT TO PARAGRAPH 104(1)(a), (b), (c), OR (d) OF THE IMMIGRATION AND REFUGEE PROTECTION ACT & NOTIFICATION TO THE REFUGEE PROTECTION DIVISION PURSUANT TO PARAGRAPH 104(1) OF THE SAME ACT****AVIS D'UN AGENT D'IMMIGRATION À LA PERSONNE CONCERNÉE EN APPLICATION DU PARAGRAPHE 104(1)a), b), c), OU d) DE LA LOI SUR L'IMMIGRATION ET LA PROTECTION DES RÉFUGIÉS & AVIS À LA SECTION DE LA PROTECTION DES RÉFUGIÉS EN APPLICATION DU PARAGRAPHE 104(1) DE LA MÊME LOI**

In the matter of a claim for refugee protection made by:

Relativement à la demande d'asile présentée par :

Surname - Nom de famille	Given name(s) - Prénom(s)	ID no. - N° d'ID
Date of birth Date de naissance	D - J M Y - A	File no. - N° de référence

On [REDACTED], you were found eligible to have your claim for refugee protection referred to the Refugee Protection Division. Upon examination of this case, I have determined that you are not eligible to have your claim determined by the Refugee Protection Division in that:

Le [REDACTED], votre demande d'asile a été jugée recevable et a été déférée à la Section de la Protection des réfugiés. J'ai examiné votre cas et je suis convaincu(e) que votre demande d'asile n'était pas recevable par la Section de la protection des réfugiés pour le(s) motif(s) suivant(s) :

Pursuant to - en application de :

104(1)(a) for
101(1)(a) to/à (e) 104(1)(b) for
101(1)(f)

104(1)(c) 104(1)(d)

For the following reason(s) - Pour la(les) raison(s) suivante(s) :

REDACTED	REDACTED
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As a consequence, if your claim is determined ineligible under A104(1)(a) to (c), the Refugee Protection Division shall, upon receipt of this notice, terminate any pending proceedings respecting your claim. If your claim is determined ineligible under A104(1)(d), the decision terminates the proceedings in and nullifies any decision of the Refugee Protection Division.

En conséquence, dans l'éventualité où votre revendication est non-admissible en vertu de A104(1)a) à (c), la Section du statut de réfugié doit, après réception du présent avis, mettre fin à l'étude de votre revendication dans cette Section. Si votre revendication est non-admissible en vertu de A104(1)d), cette décision met fin à toutes les procédures auprès de la Section du statut de réfugié, et rend également caduque toute décision de cette même Section.

Officer's name - Nom de l'agent	Officer's signature - Signature de l'agent	Date Y - A M D - J
REDACTED	REDACTED	REDACTED

Barlow, Adrienne

From: Barisic, Zrinka
Sent: June 8, 2019 09:20 AM
To: Barlow, Adrienne
Subject: FW: Updating the Notification of redetermination - BSF529
Attachments: Refusal-Claim Not Eligible for Referral to the IRB-10-2014 IRCC header.dot; BSF529
Notification of Ineligibility A104.dot

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Adrienne,

Can you please take a look at this - appears to be a rather minor modification. That said, this form was last updated in 2006 – since we are ‘opening up’ the form, see if there is anything else that could be modified/updated. Before we send to Forms/Publishing, recommend we check with other areas that may use the form: Inland Ops unit, Traveller Ops/Programs, Hearings. Don’t think anyone else would be using/referencing this form. If any other changes are made, we may want to show a draft to IRCC before it’s finalized, but otherwise not (since they have asked for the minor modification)

Thanks,

Zrinka

From: Ethier, Andrea
Sent: June 6, 2019 10:52 AM
To: Barisic, Zrinka <Zrinka.Barisic@cbsa-asfc.gc.ca>
Subject: FW: Updating the Notification of redetermination - BSF529
Importance: High

Hi There! Would this be you folks?

From: Schembri.David <David.Schembri@cic.gc.ca>
Sent: June 6, 2019 10:25 AM
To: Ethier, Andrea <Andrea.Ethier@cbsa-asfc.gc.ca>
Cc: Traves, Tara <Tara.Traves@cbsa-asfc.gc.ca>; Gunshoner.Kim <Kim.Gunshoner@cic.gc.ca>
Subject: FW: Updating the Notification of redetermination - BSF529
Importance: High

Hi Andrea,
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To: 'Tara.Traves@cbsa-asfc.gc.ca' <Tara.Traves@cbsa-asfc.gc.ca>
Cc: Bush, Brett <Brett.Bush@cbsa-asfc.gc.ca>; Gunshoner.Kim <Kim.Gunshoner@cic.gc.ca>
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Importance: High

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Immigration, Refugees
and Citizenship Canada

Immigration, Réfugiés
et Citoyenneté Canada

Date: September 6, 2019

UCI: «Formatted_UCI»

«UCI»

«Application_Num»

«Given_Name» «Family_Name»

«PA_Unit» - «PA_StreetNum» «PA_StreetAddr»

«PA_StreetAddr2»

P.O.Box: «PA_POBox»

«PA_CityTown», «PA_ProvinceState» «PA_District»

«PA_Country»

«PA_PostalCode»

«Mailing_Address»

Telephone: «Telephone_Num»

Fax: «Fax_Num»

Email: «PA_Email»

Dear «Given_Name» «Family_Name»:

I have determined that your claim for refugee protection is not eligible to be referred to the Refugee Protection Division of the Immigration and Refugee Board of Canada.

Specifically, I have determined that your refugee claim is not eligible for referral as per subsection 101(1)ⁱ of the *Immigration and Refugee Protection Act*, for the following reason(s):

«REF_CLM_refusal_grounds»

Next Steps

You must leave Canada as soon as possible and confirm your departure with the Canada Border Services Agency. If you do not leave Canada, a deportation order may be issued against you. If a deportation order is issued and you are removed, you must get written authorization if you want to return to Canada in the future. You may be able to apply for a Pre-removal Risk Assessment. For information about that go to: <http://www.cic.gc.ca/english/refugees/inside/prra.asp>

Sincerely,

«Primary_Office_Address»

Fax: «Primary_Office_FaxNum»

«Primary_Office_Email»

Canada

Application: «Application_Num»

«Primary_Office_URL»
www.cic.gc.ca

The relevant section of the *Immigration and Refugee Protection Act*

ⁱ **101.** (1) A claim is ineligible to be referred to the Refugee Protection Division if

- (a) refugee protection has been conferred on the claimant under this Act;
- (b) a claim for refugee protection by the claimant has been rejected by the Board;
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- (d) the claimant has been recognized as a Convention refugee by a country other than Canada and can be sent or returned to that country;
- (e) the claimant came directly or indirectly to Canada from a country designated by the regulations, other than a country of their nationality or their former habitual residence; or
- (f) the claimant has been determined to be inadmissible on grounds of security, violating human or international rights, serious criminality or organized criminality, except for persons who are inadmissible solely on the grounds of paragraph 35(1)(c).



NOTIFICATION TO THE PERSON CONCERNED BY AN IMMIGRATION OFFICER PURSUANT TO PARAGRAPH 104(1)(a), (b), (c), OR (d) OF THE *IMMIGRATION AND REFUGEE PROTECTION ACT* & NOTIFICATION TO THE REFUGEE PROTECTION DIVISION PURSUANT TO PARAGRAPH 104(1) OF THE SAME ACT

AVIS D'UN AGENT D'IMMIGRATION À LA PERSONNE CONCERNÉE EN APPLICATION DU PARAGRAPHE 104(1)a), b), c), OU d) DE LA *LOI SUR L'IMMIGRATION ET LA PROTECTION DES RÉFUGIÉS* & AVIS À LA SECTION DE LA PROTECTION DES RÉFUGIÉS EN APPLICATION DU PARAGRAPHE 104(1) DE LA MÊME LOI

In the matter of a claim for refugee protection made by:

Relativement à la demande d'asile présentée par :

Surname - Nom de famille			Given name(s) - Prénom(s)			ID no. - N° d'ID	
Date of birth Date de naissance		D - J M Y - A					File no. - N° de référence

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Le , votre demande d'asile a été jugée recevable et a été déférée à la Section de la Protection des réfugiés. J'ai examiné votre cas et je suis convaincu(e) que votre demande d'asile n'était pas recevable par la Section de la protection des réfugiés pour le(s) motif(s) suivant(s) :

Pursuant to - en application de :

104(1)(a) for
101(1)(a) to/a (e) 104(1)(b) for
101(1)(f)

104(1)(c) 104(1)(d)

For the following reason(s) - Pour la(les) raison(s) suivante(s) :

As a consequence, if your claim is determined ineligible under A104(1)(a) to (c), the Refugee Protection Division shall, upon receipt of this notice, terminate any pending proceedings respecting your claim. If your claim is determined ineligible under A104(1)(d), the decision terminates the proceedings in and nullifies any decision of the Refugee Protection Division.

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Officer's name - Nom de l'agent	Officer's signature - Signature de l'agent	Date Y - A M D - J
---------------------------------	--	---------------------------------